



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 23, 2007

David Kopea
K-B Plating
3685 E. 78th Street
Cleveland, OH 44105

**RE: K-B PLATING, OHD982066664, CUYAHOGA, RCRA/LQG, COMPLIANCE
EVALUATION INSPECTION, PARTIAL RETURN TO COMPLIANCE**

Dear Mr. Kopea

Thank you for your April 18, 2007 response to Ohio EPA's April 3, 2007 Partial Return to Compliance letter.

By letter dated April 18, 2007, you submitted information and documentation including:

- A discussion regarding the Gaylord box of F006 waste shipped to Chemtron and the action to be taken regarding amending the waste profile and manifest #10250.
- A corrected copy of Chemtron waste profile #Q20060321A53 including the F006 waste code.
- A corrected copy of hazardous waste manifest #10250 and corrected Land Disposal Restriction (LDR) form amended to include the F006 waste code.
- A discussion regarding the replacement of the existing hazardous waste tank system with a "tank-in-a-tank" system.
- A statement from the facility indicating that the existing hazardous waste tanks will be closed per the generator closure guidelines.
- Job title and descriptions for the positions of Hazardous Waste Manager and Hazardous Waste Technician.
- Sign in sheet demonstrating that Richard Irwin and David Kopea received training in hazardous waste management from The Dell Group on December 13, 2006.

By fax transmissions dated May 5, 2007 and May 8, 2007, Ohio EPA received corrected job titles and descriptions for employees managing hazardous waste.

My review of this documentation reveals that K-B has demonstrated abatement of the following hazardous waste violation:

OAC 3745-65-16 Personnel training:

My review of this documentation reveals that K-B remains in violation of the following hazardous waste regulations until documentation, successfully demonstrating abatement, has been received by this office:

1. **Ohio Revised Code (ORC) § 3734.02(E) and (F) storage of hazardous waste without a facility installation and operation permit, OAC Rule 3745-52-34 Accumulation time of hazardous waste:**

By letter dated May 3, 2007, K-B submitted documents corrected to reflect the correct waste codes of the WWTU F006 waste shipped off site to Chemtron on July 14, 2006. No further action is required at this time.

Since K-B violated ORC §3734.02(E) and (F), K-B is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have K-B begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

2. **OAC 3745-66-92 Design and installation of new tank systems and components:**

K-B utilizes two hazardous waste tanks to accumulate cyanide waste streams and acid waste streams generated from the plating lines. These tanks that were installed after 1990 have no secondary containment. At the time of the March 2, 2006 inspection, K-B could not produce assessments or other relevant documentation pertaining to the integrity and installation of the hazardous waste tanks. During the June 6, 2006 follow up inspection K-B stated that the facility was getting quotes for installing two new double walled tanks to replace the current hazardous waste tanks. By letter dated February 16, 2007, K-B stated that the facility is investigating installing "tank-in-a-tank" system instead of double walled tanks.

To demonstrate abatement of this violation, please see Violation #3.

3. **OAC 3745-66-93(A)(B)(C) and (E) Containment and detection of releases:**

(A) In order to prevent the release of hazardous wastes or hazardous constituents to the environment, secondary containment that meets the requirements of this rule must be provided:

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(1) For all new tank systems or components, prior to their being put into service;

At the time of the March 2, 2006 inspection, Ohio EPA observed that the two hazardous waste tanks being utilized at K-B to accumulate cyanide waste and acid waste did not have any secondary containment. By letter dated February 16, 2007, K-B stated that the facility is investigating installing "tank-in-a-tank" system instead of double walled tanks.

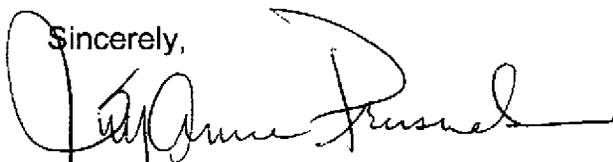
To demonstrate abatement of this violation, K-B must submit to this office documentation demonstrating the **newly installed** hazardous waste tank system meets the requirements as specified in OAC 3745-66-92 and OAC 3745-66-93.

In addition, K-B must insure that the tank system comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon as required in Tables 2-1 to 2-6 of the national fire protection association's (NFPA) "Flammable and Combustible Liquids Code". Ohio EPA has recommended that the facility contact the Cleveland Fire Department prior to installing the new tank system to ensure that it meets the fire code.

Please submit all of the requested documentation to my attention within thirty (30) days of receipt of this letter demonstrating that all issues have been addressed.

Failure to list specific deficiencies in this communication does not relieve K-B from the responsibility of complying with all applicable hazardous waste regulations. Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,



Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

ec: Frank Popotnik, DHWM, NEDO, OEPA
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